



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Preben LEXOW

Conf. No: 5556

Appln. No.: 09/886,223

Group Art Unit: 1634

Filed: June 22, 2001

Examiner: Whisenant, E.

For: SEQUENCING METHOD USING MAGNIFYING TAGS

8/B
Election
CD
11/4/02

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner
of Patents
Washington, D.C. 20231

Sir:

This Response to Restriction Requirement is in reply to the Office Action dated April 19, 2001, in the above-identified application for which a Petition for Five-month Extension of Time, along with payment of the appropriate fee, is attached, making response due on or before October 21, 2002 (October 19 and 20, being a Saturday and Sunday, respectively).

The Patent Office is authorized to charge any fees necessary for the continued pendency of the above-identified application to our Deposit Account No. 19-4880.

Accordingly, please amend the above-identified application as follows.

IN THE CLAIMS:

Please cancel Claims 48-56 and 61-64.

REMARKS

In paragraph 2, on page 2 of the Office Action, the Examiner has issued a Restriction Requirement under 35 U.S.C. § 121 to one of the inventions of the following groups:

Group I - Claims 26-47 and 56-60, drawn to a method of magnifying a signal;

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Group II - Claims 48-55^{1/} and 61, drawn to a method of sequencing a target nucleic acid molecule; and

Group III - Claims 62-64, drawn to a method of producing a map of a target nucleic acid molecule.

Accordingly, Applicant hereby elects the invention of Group I, i.e., Claims 26-47 and 57-60 without traverse.

Further, Applicant hereby cancels non-elected Claims 48-56 and 61-64 without prejudice to pursuing the same in a Divisional Application(s).

The Examiner is invited to contact the undersigned at his Washington telephone number on any questions which might arise.

Respectfully submitted,


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Date: October 21, 2002

^{1/} While the Examiner states that Claim 56 should be dependent on Claim 48, not Claim 43, Applicant submits that Claim 56 should be dependent on Claim 53. As a result, Claim 56 should appear in Group II.

A P P E N D I X

Marked-Up Version of Amendments

IN THE CLAIMS:

Claims 48-56 and 61-64 are being cancelled.